IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 30TH NOVEMBER 2007 / 9TH AGRAHAYANA 1929

Bail Appl..No. 7395 of 2007()

CRIME NO. 373/07 OF EDASSERRY POLICE STATION

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PETITIONER/A3

ANIKUMAR, AGED 31 YEARS, S/O. RAGHAVAN
PALLIVALAPPIL HOUSE, AZHIYOOR P.O.
VADAKARA, KOZHIKODE.

BY ADV. SRI.P.S.SREEDHARAN PILLAI
SMT.C.G.PREETHA

RESPONDENTS/COMPLAINANT/STATE

STATE OF KERALA, REP. BY THE PUBLIC
PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 30/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 7395 of 2007

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Dated this the 30th day of November, 2007

O R D E R

Application for regular bail. The petitioner is the third accused. Altogether there are 10 accused persons. All, except accused 2 and 5, have been arrested. The incident took place on 28.10.2007. Political animosity is the alleged motive. The petitioner faces allegations for offences punishable, inter alia, under Section 307 r/w. 149 I.P.C. The petitioner was arrested on 29.10.2007. The other co-accused have already been granted bail. But the petitioner was not granted bail as he is involved in other similar crimes. The learned counsel for the petitioner submits that the petitioner is absolutely innocent. He may now be enlarged on bail, prays the counsel.

2. The learned Prosecutor does not oppose the application, but insists that the Investigator may be given some further time to complete the investigation and appropriate safeguards may be insisted to maintain law and order situation in

the locality. Having considered all the relevant inputs, I am satisfied that the petitioner can now be directed to be enlarged on bail subject to appropriate terms and conditions.

3. In the result:

1) This application is allowed.

2) The petitioner shall be released on bail on the following terms and conditions.

(a) The petitioner shall not be released from custody on the strength of this order prior to 7.12.2007. The Investigators shall in the meantime make every endeavour to complete the investigation.

(b) The petitioner shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(c) He shall make himself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 for a period of two months from the date of his release and thereafter as and when directed by the Investigating Officer in writing to do so.

(d) The petitioner shall not enter the Sessions Division of Kozhikode, except for the purpose of complying with condition No.(c) above, during the said period of two months.

(R. BASANT)
Judge

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